IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

JUL 1 5 2003

U.S. DISTRICT COURT ELKING WV 25241

JAMAL A. AZEEZ,

v.

Petitioner,

Pennone

Civil Action No. 00-CV-54 (Maxwell)

WILLIAM S. HAINES,

Respondent.

PETITIONER'S, MOTION FOR PARTIAL SUMMARY JUDGMENT

COMES NOW the Petitioner, Jamal A. Azeez, by and through his counsel, and pursuant to Rule 56 of the Federal Rules of Civil Procedure, moves this Honorable Court to enter an Order granting him partial summary judgment. In support of his motion, Petitioner submits the attached Memorandum of Law.

JAMAL A. AZEEZ, Petitioner,

By Counsel,

GREGORY R TINGLER

West Virginia Bar No. 7804

LAW OFFICES OF DAVID A. SIMS

Attorneys at Law P.O. Box 2659

Elkins, West Virginia 26241

304-636-8000